

SENATE BILL 122

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CF 0lr1809

By: **Senators Brochin and Stone**

Introduced and read first time: January 15, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Towson Commercial Revitalization District – Alcoholic**
3 **Beverages Licenses – Restaurants – Minimum Capital Investment and**
4 **Transfers**

5 FOR the purpose of lowering in the Towson Commercial Revitalization District in
6 Baltimore County the minimum amount of capital investment required for
7 certain restaurants for which certain alcoholic beverages licenses may be
8 transferred and new licenses issued; reducing the time by a certain amount that
9 an applicant for transfer must wait under certain circumstances; and generally
10 relating to alcoholic beverages licenses for restaurants in Baltimore County.

11 BY repealing and reenacting, without amendments,
12 Article 2B – Alcoholic Beverages
13 Section 8–204.3(a) and (b)(1)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2009 Supplement)

16 BY repealing
17 Article 2B – Alcoholic Beverages
18 Section 8–204.3(e)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2009 Supplement)

21 BY adding to
22 Article 2B – Alcoholic Beverages
23 Section 8–204.3(e)
24 Annotated Code of Maryland
25 (2005 Replacement Volume and 2009 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article 2B – Alcoholic Beverages

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 8–204.3(f)
2 Annotated Code of Maryland
3 (2005 Replacement Volume and 2009 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article 2B – Alcoholic Beverages**

7 8–204.3.

8 (a) This section applies only in Baltimore County.

9 (b) (1) Notwithstanding the license population quota limitations of the
10 Board of Liquor License Commissioners and in addition to the licenses authorized for
11 issuance in Baltimore County, the Board of Liquor License Commissioners may
12 authorize the transfer into the Towson Commercial Revitalization District, as defined
13 by the Baltimore County Council, of not more than 10 beer, wine and liquor (on–sale)
14 licenses that:

15 (i) Were issued on or before December 31, 2008;

16 (ii) Are in existence in Election District 15 of Baltimore County
17 on June 1, 2009; and

18 (iii) Are valid on the date of transfer.

19 [(e) An applicant for transfer of a Class B or Class D license and issuance of a
20 Class B (B, W, L) (TCRD) license shall demonstrate to the Board of Liquor License
21 Commissioners that the restaurant has a minimum capital investment of \$500,000,
22 excluding the cost of the land and building shell.]

23 **(E) OF THE RESTAURANTS FOR WHICH A CLASS B OR CLASS D LICENSE**
24 **MAY BE TRANSFERRED AND A CLASS B (B, W, L) (TCRD) MAY BE ISSUED**
25 **UNDER SUBSECTION (B)(1) OF THIS SECTION, THE BOARD OF LIQUOR LICENSE**
26 **COMMISSIONERS MAY REQUIRE THAT:**

27 **(1) FOR NOT MORE THAN SIX RESTAURANTS, APPLICANTS FOR**
28 **LICENSE TRANSFER AND ISSUANCE DEMONSTRATE A MINIMUM CAPITAL**
29 **INVESTMENT, EXCLUDING THE COSTS OF THE LAND AND BUILDING SHELL, OF**
30 **\$500,000; AND**

31 **(2) FOR NOT MORE THAN FOUR RESTAURANTS, APPLICANTS FOR**
32 **LICENSE TRANSFER AND ISSUANCE DEMONSTRATE A MINIMUM CAPITAL**
33 **INVESTMENT, EXCLUDING THE COSTS OF THE LAND AND BUILDING SHELL, OF**
34 **\$50,000.**

1 (f) The Board of Liquor License Commissioners shall deny an application for
2 transfer of a Class B or Class D license and issuance of a Class B (B, W, L) (TCRD)
3 license if within [2 years] **1 YEAR** immediately preceding the application:

4 (1) (i) The applicant was a holder of an on-sale license issued
5 under this article within the boundaries of the Towson Commercial Revitalization
6 District; or

7 (ii) There was an on-sale license in existence for the proposed
8 premises of the applicant; and

9 (2) The previous on-sale license was transferred to premises outside of
10 the Towson Commercial Revitalization District.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 2010.